

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/697,456	PIN ET AL.	
	Examiner	Art Unit	
	Tina M. Wong	2874	

-- **The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to a Request for Continued Examination received 31 May 2007.

2.  The allowed claim(s) is/are 11-20,22-27 and 29-32.

3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All    b)  Some\*    c)  None    of the:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.

(a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached  
1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.

(b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of  
Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1.  Notice of References Cited (PTO-892)

5.  Notice of Informal Patent Application

2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)

6.  Interview Summary (PTO-413),

Paper No./Mail Date \_\_\_\_\_.

3.  Information Disclosure Statements (PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_.

7.  Examiner's Amendment/Comment

4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material

8.  Examiner's Statement of Reasons for Allowance

9.  Other \_\_\_\_\_.

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 31 May 2007 has been entered.

### ***Examiner's Statement Of Reasons For Allowance***

Applicant's amendment and remarks received 31 May 2007 have been fully considered. Claims 11-20 and 22-26 are therefore allowed with the Remarks and additional limitations included. Claims 27 and 29-32 are allowed in view of the Remarks received 31 May 2007.

#### **The following is an examiner's statement of reasons for allowance:**

The prior art of record fails to disclose or reasonably suggest a coaxial optical component including optical devices, such as a collimating lens connected to optical filters, a dual fiber pigtail coupled to the optical device/collimating lens to form a dual fiber collimator, a metal housing in which the dual fiber collimator is inserted and a plurality of glass spacers circumferentially disposed about the dual fiber collimator and attached by epoxy to the dual fiber collimator.

A close prior art of record is previous relied upon reference, U.S. Patent 6,582,135 to Brun et al. Brun et al teaches all of the limitations as discussed in the previous Office action, mailed 03 January 2007, paper number 20061220. However, in light of the amendment received 31 May 2007, Brun et al now fails to teach the newly amended limitation (claims 11 and 20)

where the plurality of glass spacers are disposed circumferentially about the dual fiber collimator and the previously presented limitation (claim 27) where the outside surface of the plurality of glass spacers are shaped to rest against the inside surface of the metal housing.

Another close prior art of record is U.S. Patent Application Publication 2003/0077047 to Hwang et al. Hwang et al teaches an optical device including a metal housing surrounding a dual fiber collimator (a dual pigtailed fiber coupled to a collimating lens) with a plurality of glass spacers disposed on the ends of the collimator. Although Hwang et al teaches a plurality of glass spacers, Hwang et al does not teach or reasonably suggest the glass spacers to be disposed circumferentially about the collimator. Furthermore, all of the glass spacers taught by Hwang et al are all one-piece spacer rings, and therefore, there would be no suggestion of dividing the one piece spacer ring into pieces.

**Therefore, claims 11-20, 22-27 and 29-32 are allowed.**

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

#### ***Prior Art***

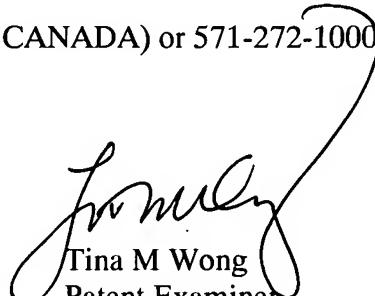
The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. None of the documents cited by the Examiner discloses or reasonably suggests the allowable subject matter discussed above.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tina M. Wong whose telephone number is (571) 272-2352. The examiner can normally be reached on Monday-Friday 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rodney Bovernick can be reached on (571) 272-2344. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



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Art Unit 2874